REMARKS

Claims 1-5 have been examined on their merits.

Applicant thanks the Patent Office for indicating that claims 4 and 5 are allowed.

The Examiner objects to claims 2 and 3 as being dependent upon a rejected base claim.

Applicant thanks the Examiner for indicating that claims 2 and 3 would be allowed if rewritten in

independent form. However, instead of rewriting claims 2 and 3 in independent form, Applicant

respectfully traverses the prior art rejections for the reasons set forth below.

Claims 1-5 are all the claims presently pending in this application.

1.   Claim 1 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over

Applicant's Admitted Prior Art ("AAPA") in view of Ziperovich (U.S. Patent No. 5,886,842).

Applicant traverses the rejection of claim 1 for at least the reasons discussed below.

The Patent Office acknowledges that AAPA fails to disclose that the DC offset follow up

speed is calculated when a preamble portion is being received. The Patent Office alleges that

Ziperovich provides the necessary disclosure to overcome the acknowledged deficiencies of

AAPA.

The combination of AAPA and Ziperovich fails to teach or suggest at least changing a

DC-offset follow-up speed based on both a frame continuation detection signal and a received

frame signal, as recited in claim 1. As noted by the Patent Office, Ziperovich discloses, *inter*

alia, learning an appropriate DC offset correction value when a disk drive head is reading a

known data preamble pattern during acquisition mode. *See* col. 6, lines 13-16 of Ziperovich.

There is no teaching or suggestion in Ziperovich or the AAPA disclosure that during acquisition mode that the known data preamble reduces a DC offset follow up speed, or that reception of the known data preamble even initiates such a reduction in DC offset follow up speed. Ziperovich uses the preamble to adjust the DC offset in a control loop that includes shift registers that add preamble samples together to obtain a DC offset, which is contrary to the invention recited in claim 1. *See, e.g.,* col. 9, line 14 to col. 10, line 8 of Ziperovich. Applicant notes that the Patent Office, in the July 12, 2005 Office Action, did not point out any teaching or suggestion in either Ziperovich or the AAPA that teaches or suggests at least this feature of the invention. Furthermore, there is no teaching or suggestion in Ziperovich of changing a DC-offset follow-up speed based either a frame continuation detection signal and/or a received frame signal. Thus, Applicant submits that the Patent Office cannot fulfill the "all limitations" prong of a *prima facie* case of obviousness, as required by *In re Vaeck,* 947 F.2d 488, 493 (Fed. Cir. 1991).

Although the Patent Office provides a motivation analysis with respect to finding a "learning curve" by using a preamble, both the AAPA and Ziperovich lack any teaching or suggestion that, during acquisition mode, a known data preamble initiates a reduction in DC offset follow up speed. Thus, Applicant submits that the Patent Office cannot fulfill the motivation prong of a *prima facie* case of obviousness, as required by *In re Dembiczak* and *In re Zurko.*

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Based on the foregoing reasons, Applicant submits that the combination of AAPA and

Ziperovich fails to teach or suggest all of the claimed elements as arranged in claim 1. Thus,

Applicant submits that claim 1 is allowable, and respectfully requests that the Patent Office

withdraw the § 103(a) rejection of claim 1.

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

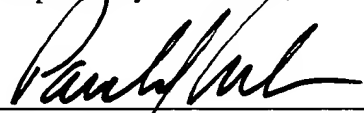overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Paul J. Wilson
Registration No. 45,879

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 5, 2005

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